

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

DOTE-00 INR-10 NSAE-00 RSC-01 FAA-00 EPA-04 CEQ-02

SS-20 NSC-07 L-03 H-03 PRS-01 PA-04 USIA-15 DRC-01

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R 261729Z JUN 74

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 1601

INFO AMEMBASSY PARIS

AMEMBASSY BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 08036

E.O. 11652: GDS

TAGS: ETRN, SENV, US, FR, UK

SUBJ: CIVAIR - CONCORDE, US SST ENGINE EMISSION

STANDARDS

REF: STATE 133747

1. WE REVIEWED WITH BINNING, DIRECTOR GENERAL UK CONCORDE PROGRAM, JUNE 25, STATUS OF CONCORDE IN GENERAL AND CURRENT UK VIEWS ON US ISSUANCE OF NPRMS ON NOISE AND EMISSIONS.

2. BINNING SAID UK/FR MINISTERIAL MEETINGS WOULD MOST LIKELY BEGIN EARLY JULY. SINCE NEW FRENCH MINISTER WOULD NEED TIME TO DEVELOP VIEWS, MOST LIKELY THERE BE SERIES OF MEETINGS TO END OF JULY BEFORE ANY CONCLUSIONS ON CONCORDE PROJECT LIKELY TO EMERGE. IN THIS REGARD, HE SAID BRITISH AND FRENCH WOULD WANT TO MAKE PRESENTATION TO EPA/FAA ON THE NOISE AND EMISSION STANDARDS AFTER THE MINISTERIAL DECISION WAS REACHED (HE ASSUMES IT WILL BE TO PROCEED WITH THE CONCORDE PROJECT) BUT SUCH A PRESENTATION NOW LOOKS MORE LIKELY FOR SEPTEMBER RATHER THAN

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JULY.

3. IN REGARD TO UK AND FRENCH VIEWS ON EARLY ISSUANCE OF NPRM ON EMISSIONS, BINNING SAID HE HAD TOLD FAA IN RESPONSE TO QUESTION AT MEETING IN WASHINGTON THAT THE UK WOULD NOT MIND IF NPRM WERE ISSUED AS LONG AS THERE SUFFICIENT TIME FOR UK GOVERNMENT COMMENT WHICH HE UNDERSTOOD TO BE ABOUT 60 DAYS. HE SAID THIS STATEMENT WAS MADE TO FAA IN PRESENCE OF THE FRENCH WHO DID NOT OBJECT.

4. BINNING WENT ON TO NOTE THAT UK DOES NOT WISH TO IMPOSE ON GOOD WILL OF THE US GOVERNMENT TO CONTINUE TO ASK FOR DELAYS ON ISSUANCE OF NPRM. AND, IN ANY EVENT, UK, HE SAID, HAD BEEN ASSURED BY EPA THAT RULE MAKING PROCEDURE WOULD PROVIDE GENUINE OPPORTUNITY FOR PUBLIC DISCUSSION AND, AS APPROPRIATE, MODIFICATION OF PROPOSED STANDARDS. IF NPRM WERE ISSUED SOON THERE WOULD BE SUFFICIENT TIME FOR UK/FR TO PARTICIPATE IN PROCEDURE ON BASIS TIMETABLE OUTLINED PARA 2 ABOVE AND THIS WOULD BE SATISFACTORY TO UK.

5. BINNING STRESSED THAT IF NPRM IS TO BE ISSUED SOON, HE CONSIDERS IT MOST IMPORTANT THAT UK/FR BE GIVEN, IF AT ALL POSSIBLE, ADVANCE COPY OF TEXT OF PROPOSED RULE BEFORE PUBLICATION SO THAT UK CAN PREPARE ITSELF TO REACT AS CALMLY AS POSSIBLE TO PRESS INQUIRIES, PARLIAMENTARY QUESTIONS, ETC., THAT ARE SURE TO FOLLOW PUBLICATION OF NPRM. HE ALSO SAID THAT PUBLICATION OF NPRM SHOULD BE ACCCOMPANIED BY CLEAR EXPLANATION OF RULE MAKING PROCESS AS IT OPERATES IN US TO ALLAY UK/FR FEARS THAT US WAS, IN FACT, ISSUING "ORDER" RATHER THAN PROPOSAL FOR ORDER. NPRM PROCEDURE, WHICH HE CONSIDERS VERY FAIR, IS NOT WELL UNDERSTOOD IN UK, MUCH LESS FRANCE, HE POINTED OUT.

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6. COMMENT: SINCE IT NOW SEEMS MOST LIKELY THAT UK ND FRENCH WILL PROCEED WITH PRODUCTION OF AT LEAST 16 CONCORDES, LIKELIHOOD THAT ISSUANCE OF US NPRM OR OTRER US ACTION AT THIS TIME COULD BE BASIS FOR CANCELLATION OF CONCORDE PROGRAM SEEMS MUCH MORE REMOTE THAN AT TIME OF LONDON'S 3938 (MARCH 28, 1974). IN ADDITION, FROM BINNING'S REACTION, WE DOUBT THAT ISSUANCE OF NPRM JULY 1 WOULD CAUSE ANY GREAT DIFFICULTIES FOR BRITISH. WE WOULD, HOWEVER, FULLY SUPPORT BINNING'S REQUEST FOR ADVANCE NOTICE OF TEXT OF PROPOSED RULE TO ALLOW UK (AND FRENCH) TO WORK OUT RATIONAL RESPONSE TO QUESTIONS WHICH WILL ARISE. ALSO, SUGGESTION THAT RULE MAKING PROCESS BE CLEARLY DESCRIBED IN PUBLICATION OF NPRM OR IN PRESS BRIEFING ON IT WOULD BE USEFUL TO AVOID IMPRESSION HERE THAT US UNILATERALLY ESTABLISHING STANDARDS WHICH MIGHT BE DETRIMENTAL TO CONCORDE PROGRAM WITHOUT PROVIDING FAIR CHANCE FOR COMMENT BY INTERESTED PARTIES.

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7. THE INFORMED ACQUIESCEANCE OF OFFICIALS SUCH AS BINNING WHO ARE THOROUGHLY FAMILAR WITH THE CONCORDE PROGRAM IN NO WAY LESSENS THE POLITICAL SENSITIVITY OF THIS MAJOR ANGLO-FRENCH PROJECT. IN ISSUING NPRM, WE MUST BE PARTICULARLY CAREFUL AT ALL TIMES TO AVOID GIVING IMPRESSION THAT WE ARE OPPOSED TO CONCORDE AS SUCH, OR THAT WE ARE SEEKING TO USE U.S. REGULATORY POWERS TO KILL A PROJECT THAT IS COMMERCIALLY UNVIABLE IN ANY CASE. THE POSSIBILITY THAT THE U.S. COULD BE MADE A SCAPEGOAT HAS LESSENED AS THE LABOR GOVERNMENT'S INTENTION TO PROCEED WITH THE PROGRAM HAS STRENGTHENED, BUT IS STILL THERE. WE SHOULD PROCEED WITH CIRCUM- SPECTION.

ANNENBERG.

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30 JUN 2005

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